

Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 AID-59 CIAE-00 COME-00 EB-07 FRB-03

INR-07 NSAE-00 USIA-06 TRSE-00 XMB-02 OPIC-03 SP-02

CIEP-01 LAB-04 OMB-01 AGR-05 IGA-01 SS-15 L-02 GSA-01

ABF-01 FS-01 PA-01 USIE-00 DODE-00 SSO-00 NSCE-00

INRE-00 /135 R

DRAFTED BY EUR/EE:APBRAINARD:MV

APPROVED BY EB/IFD/OMA:PBOEKER

EB:TMINNIES

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FM SECSTATE WASHDC

TO AMEMBASSY WARSAW NIACT IMMEDIATE

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E.O. 11652: N/A

TAGS: AFIN, PL

SUBJECT: PL-480 DEBT NEGOTIATIONS: USG PROPERTY
ACQUISITION RIGHTS

REF: WARSAW 02863

1. AT OPENING SESSION OF DEBT DEFERRAL-ANNUITANTS
NEGOTIATIONS, POLISH MFA OFFICE DIRECTOR KINAST RESPONDED
TO DEPUTY ASSISTANT SECRETARY BOEKER'S INVITATION TO
EXPLAIN RECENT POLISH MOVES ON THE PROPERTY ISSUE. KINAST
ASSERTED THAT MFA HAS NO AUTHORITY IN THE AREA OF PROPERTY
ACQUISITION BUT HE WISHED TO REPORT THAT GOP HAS TAKEN AN
IMPORTANT STEP FORWARD SINCE NOVEMBER AND HAS CLARIFIED
ITS LEGISLATION ON THE MATTER.

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2. KINAST REPORTED THAT A RECENT RESOLUTION OF THE COUNCIL OF MINISTERS (DATED FEBRUARY 15, 1975) RULES OUT PROPERTY ACQUISITION BUT PROVIDES FOR UP TO 99-YEAR LEASES FOR DIPLOMATIC AND CONSULAR MISSIONS AND OFFICES AND FOR MEMBERS OF SUCH BODIES. LONG-TERM LEASING IS NOW THE ONLY POSSIBILITY FOR FOREIGN DIPLOMATIC AND CONSULAR ESTABLISHMENTS. ALL DECISIONS IN EACH CASE MUST BE TAKEN BY THE PROPER LOCAL AUTHORITIES. CONSIDERATIONS SUCH AS LEGAL STATUS, LOCATION, CHARACTER OF PROPERTY, ETC. WILL AFFECT

LOCAL AUTHORITY DECISION MAKING. PROCEDURES ARE LIKELY TO BE LENGTHY BUT NOT AS LONG AS THE POLISH EMBASSY ZONING APPLICATION IN WASHINGTON (ALMOST TWO YEARS). IN ANY CASE, THE MFA WILL SUPPORT EFFORTS WHICH MIGHT BE MADE BY THE U.S. EMBASSY IN WARSAW.

3. KINAST FURTHER INDICATED THAT IT IS UNCLEAR WHETHER THIS LONGTERM LEASING RIGHT WOULD EXTEND TO THE AMERICAN SCHOOL.

4. DEPT. HAS SUGGESTED FOLLOWING LANGUAGE TO GOP DELEGATION. QUOTE: THE GOVERNMENT OF THE POLISH PEOPLES REPUBLIC CONFIRMS THAT IT WILL APPROVE THE ACQUISITION BY THE GOVERNMENT OF THE UNITED STATES THROUGH PURCHASE OR LONGTERM LEASE, OF THE RESIDENTIAL AND SCHOOL FACILITIES REQUIRED BY THE GOVERNMENT OF THE UNITED STATES ON FAVORABLE TERMS.UNQUOTE. GOP DELEGATION HAD INDICATED TERM "WILL APPROVE" IS UNACCEPTABLE IN LIGHT OF MFA LIMITED AUTHORITY AS MENTIONED PARA 1 AND 2.

5. ACTION REQUESTED: DEPT. BELIEVES GOP REQUEST THAT

"WILL APPROVE" BE CHANGED TO "WILL SUPPORT" IS BEST THAT CAN BE OBTAINED. EMBASSY COMMENT REQUESTED. REPLY NIACT IMMEDIATE ATTENTION MINNIES. INGERSOLL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PL 480, DEBTS, NEGOTIATIONS, REAL PROPERTY ACQUISITION
Control Number: n/a
Copy: SINGLE
Draft Date: 13 MAY 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: SmithRJ
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE110683
Document Source: CORE
Document Unique ID: 00
Drafter: APBRAINARD:MV
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750166-0078
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750557/aaaabzir.tel
Line Count: 96
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 WARSAW 02863
Review Action: RELEASED, APPROVED
Review Authority: SmithRJ
Review Comment: n/a
Review Content Flags:
Review Date: 09 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <09 JUN 2003 by izenbei0>; APPROVED <20 OCT 2003 by SmithRJ>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PL-480 DEBT NEGOTIATIONS: USG PROPERTY ACQUISITION RIGHTS
TAGS: EFIN, EAID, PL
To: WARSAW
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006